



**Australian
Competition &
Consumer
Commission**

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8 April 2014

Dear Sir/Madam

Energy Assured Limited application for revocation of authorisations A91258 & A91259 and substitution of new authorisations A91390 & A91391 - draft determination

The Australian Competition and Consumer Commission (the ACCC) has issued a draft determination in respect of the application for re-authorisation received from Energy Assured Limited (Energy Assured) on 5 November 2013.

Please see the ACCC's publication [Authorisation process - the basics](#) for a summary of the authorisation process and how to make a submission to the ACCC.

Energy Assured is seeking re-authorisation for a scheme to self regulate face to face energy sales that are undertaken on behalf of its member electricity and gas retailers. Energy Assured also seeks authorisation for a number of changes to the scheme.

Draft determination

A copy of the ACCC's draft determination and summary of its reasons is attached.

For the reasons set out in its draft determination, the ACCC proposes to grant the authorisation, subject to conditions, for five years. The ACCC does not propose to grant authorisation to a change to the scheme that would replace annual independent audits of members' compliance with the scheme with periodic compliance checks conducted by Energy Assured.

Next steps

Once the ACCC issues a draft determination, the Applicant or any interested party may make a written submission and/or request that the ACCC convene a 'pre-decision conference'.

If you wish to make a submission in response to the ACCC's draft determination, please lodge your submission by **2 May 2014**. Submissions should be emailed to adjudication@accc.gov.au with the subject "A91390 & A91391 – Energy Assured Limited – submission".

A pre-decision conference provides the opportunity for interested parties to make oral submissions in relation to the draft determination. Conferences are conducted informally and

while legal or professional advisers are able to attend they are not entitled to participate in the discussion.

If you wish the ACCC to hold a pre-decision conference in relation to the draft determination you must notify the ACCC in writing by **23 April 2014**.

The ACCC will consider any submissions it receives, including any oral submissions made should a pre-decision conference be called, and will then release a final determination in relation to these applications.

Submissions will be placed on the ACCC's public register subject to any request for exclusion. Please see the ACCC's publication [Guidelines for excluding information from the public register](#).

Timetable

The ACCC will continue to progress its assessment of the application in a timely manner. An updated indicative timetable is set out below for your information.

Indicative date	Stage in assessment process
5 November 2013	Lodgement of application and supporting submission.
8 November 2014	Public consultation process begins.
8 April 2014	Draft determination.
April/May 2014	Public consultation on draft determination including any conference if called.
May/June 2014	Final determination.

This letter has been placed on the ACCC's public register. If you wish to discuss any aspect of this matter please do not hesitate to contact Tanya Hobbs on 02 6243 1029 or adjudication@accc.gov.au.

Yours sincerely



Gavin Jones
Director
Adjudication Branch

Interested Party list

ACT Energy Ombudsman
Aegis Direct
AEMC
Appco Group Energy
Australian Energy Market Operator (AEMO)
Brotherhood of St Laurence
Community Information Victoria
Consumer Action Law Centre
Consumer Utilities Advocacy Centre
COTA Seniors Voice
Department of Justice and Consumer Affairs Victoria
Department of Justice and Consumer Affairs Victoria
Department of Resources, Energy and Tourism (Cth)
Energy Retailers Association of Australia
Eiosa
Ethnic Communities' Council of NSW Inc
Financial and Consumer Rights
Genius Direct
Lumo Energy
Moreland Energy Foundation Limited
National Seniors Australia
NSW Energy Ombudsman
Public Interest Advocacy Centre
Queensland Consumers Association
Queensland Council of Social Service
Red Energy Pty Ltd
SA Energy Ombudsman
Sales Marketing and Real Technologies (SMART) Pty Ltd
Simply Energy
South Australian Government
Tas Energy Ombudsman
TRUenergy
UnitingCare Australia